

Application No.: 10/551/795
Amendment Dated: June 1, 2010
Reply to Office Action of: March 1, 2010

MAT-8755US

Remarks/Arguments:

Claim 12 has been amended. No new matter is introduced herein. Claims 1-10 and 12-17 are pending.

Applicant appreciates the courtesy extended to his representatives by Examiner Li during the telephone interview of May 25, 2010. During the course of the interview, Applicant discussed differences between Applicant's claim 1 and Matta et al. (U.S. 2003/0069018). Applicant's representatives also discussed differences between Applicant's proposed claim 12 and Matta et al. The Examiner agreed that the cited art does not teach: 1) connecting a home gateway device with a plurality of communication links responsive to activating or initializing the home gateway device and 2) selecting, by the home gateway device, a home link from among the connected communication links other than a communication link which has receive network information, as recited by claim 1. The Examiner also agreed that the cited art does not teach that a mobile router processing state includes a flag that indicates that the mobile terminal acts as a mobile router or does not act as the mobile router, as recited in Applicant's proposed claim 12.

Claims 12 has been amended to clarify that the mobile IP processing unit transmits another response message in which a mobile router processing state of the mobile terminal is written, and that the mobile router processing state includes a flag that indicates the mobile terminal acts as a mobile router or does not act as the mobile router. No new matter is introduced herein. Basis for the amendment includes, for example, page 25, lines 10-24; page 30, line 24 - page 31, line 11; and Fig. 2 of the subject specification.

Claim 12 has been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. In particular, it is asserted that the phrase "its mobile router" is unclear. Claim 12 has been amended, as discussed above, to recite a mobile router processing state of the mobile terminal. Accordingly, Applicant respectfully requests that the rejection of claim 12 under 35 U.S.C. § 112, second paragraph, be withdrawn.

Claims 1-10, 12 and 14-17 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Takeda et al. (US 7,328,014) in view of Matta et al. Reconsideration is respectfully requested for the reasons set forth below.

Claim 1 includes features neither disclosed nor suggested by the cited art, namely:

... responsive to activating or initializing the home gateway device, connecting the home gateway device with the plurality of communication links, by the home gateway device ...

... selecting, by the home gateway device, a home link from among the plurality of connected communication links other than a communication link which has received the network information ... (Emphasis Added)

Claims 6 and 17 includes similar recitations.

Takeda et al. relate to a communication method and system allowing mobile nodes to acquire a home address in a visited network. (Abstract.) Fig. 9 of Takeda et al. relate to a home address creation through binding update processing sequence between mobile node 3, router 4c, gateway equipment 2b, authentication server 8 and home agent 1. (Col. 7, lines 65-67.) At steps 109 and 110, DHCP solicit and advertise messages are transmitted between gateway equipment 2b and home agent 1, in order to discover a DHCP server capable of distributing a prefix. (Col. 8, lines 29-47.) At steps 111 and 112, DHCP request and reply messages are transmitted between gateway equipment 2b and home agent 1, to request distribution of an IPv6 prefix. At step 113, gateway equipment 2b creates a new entry in an acceptable address list and sends an authentication reply containing prefix information to mobile node 3. (Col. 8, line 48 - col. 9, line 3.)

As acknowledged by the Examiner on page 4 of the Office Action, Takeda et al. do not disclose or suggest: 1) responsive to activating or initializing the home gateway device, connecting the home gateway device with a plurality of communication links, by the home gateway device and 2) selecting, by the home gateway device, a home link from the plurality of connected communication links other

than a communication link which has received the network information, as required by claim 1. Thus, Takeda et al. do not include all of the features of claim 1.

Matta et al. relate to a method for providing a triggering mechanism in an all-IP wireless communication system, where a plurality of communication paths are established between a mobile terminal and a correspondent node. (Abstract.) As shown in Fig. 3, wireless communication system 10 includes mobile terminal 14 connected through a plurality of wireless links 30, 32 to a plurality of access points 34, 36 of core network 16. Each access point 34, 36 is connected to a corresponding router 38, 40. (Paragraph [0028].) After the communication path between the mobile terminal and the correspondent node are established, all access points 34, 36 and routers 38, 40 within radio range of mobile terminal 14 are probed to obtain a quality of service (QoS) parameter associated with the respective communication path. Selection of a communication path is based on the QoS parameter statistics for the communication paths (i.e., from candidate access point/router AP/R pairs.) (Paragraphs [0015] - [0016] and [0032].) QoS parameters include packet delay, packet jitter, packet loss and bandwidth on an end-to-end path. (Paragraph [0017] and [0047].)

As acknowledged by the Examiner during the telephone interview, Matta et al. do not teach: 1) responsive to activating or initializing the home gateway device, connecting the home gateway device with a plurality of communication links, by the home gateway device, and 2) selecting, by the home gateway device, a home link from among the connected communication links other than a communication link which has received the network information, as required by claim 1 (emphasis added). Matta et al. are silent regarding these indicated features. Matta et al. only teach a process of selection of a communication path based on a quality of service, where the plurality of communication paths are already established between a mobile terminal and a correspondent node. Thus, Matta et al. do not make up for the deficiencies of Takeda et al. with respect to claim 1. Accordingly, allowance of claim 1 is respectfully requested.

Although not identical to claim 1, claims 6 and 17 include features similar to claim 1, which are neither disclosed nor suggested by the cited art. Accordingly,

claims 6 and 17 are also patentable over the cited art for at least the same reasons as claim 1.

Claims 2-5, 7-10, 15 and 16 include all of the features of respective claims 1 and 6 from which they depend. Accordingly, these claims are also patentable over the cited art.

With respect to claim 12, claim 12, as amended, includes features neither disclosed nor suggested by the cited art, namely:

... said mobile IP processing unit further transmits another response message in which a mobile router processing state of the mobile terminal is written, wherein the mobile router processing state includes a flag that indicates the mobile terminal acts as a mobile router or does not act as the mobile router ... (Emphasis Added)

Takeda et al. and Matta et al. are discussed above. As acknowledged by the Examiner on page 13 of the Office Action, Takeda et al. do not explicitly disclose that a state of its mobile router processing indicates an operation of the mobile terminal between a first mode in which the mobile terminal acts as a mobile router and a second mode in which the mobile terminal does not act as the mobile router. Thus, Takeda et al. cannot teach that a mobile router processing state includes a flag that indicates the mobile terminal acts as a mobile router or does not act as the mobile router, as required by claim 12. Accordingly, Takeda et al. do not include all of the features of claim 12.

As acknowledged by the Examiner during the telephone interview, Matta et al. do not teach that a mobile router processing state includes a flag that indicates the mobile terminal acts as a mobile router or does not act as the mobile router, as required by claim 12 (emphasis added). Matta et al. are silent regarding this feature. As shown in paragraph [0047] of Matta et al., the QoS parameters are not flags, but instead are related to a delay time, a delay jitter, a packet loss and/or a bandwidth. Thus, Matta et al. do not make up for the deficiencies of Takeda et al. with respect to claim 12. Accordingly, allowance of claim 12 is respectfully requested.

Application No.: 10/551/795
Amendment Dated: June 1, 2010
Reply to Office Action of: March 1, 2010

MAT-8755US

Claim 14 includes all of the features of claim 12 from which it depends. Accordingly, claim 14 is also patentable of the cited art.

Claim 13 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Takeda et al. in view of Matta et al. and further in view of Leung et al. (US 6,466,964). Claim 13, however, includes all of the features of claim 12 from which it depends. Accordingly, claim 13 is also patentable over Takeda et al. and Matta et al. for at least the same reasons as claim 12.

Leung et al. do not make up for the deficiencies of Takeda et al. and Matta et al. with respect to claim 12, because Leung et al. do not teach a mobile router processing state which includes a flag that indicates the mobile terminal acts as a mobile router or does not act as the mobile router. Leung et al., which teach movement of a mobile node (not a mobile router) between home agent 8 and foreign agent 10, do not contemplate a flag which indicates the operation of a mobile terminal in two different modes (i.e., where the mobile terminal acts as a mobile router and where the mobile terminal does not act as the mobile router). Accordingly, claim 13 is also patentable over the cited art.

In view of the amendments and arguments set forth above, the above-identified application is in condition for allowance which action is respectfully requested.

Respectfully submitted,



Jacques L. Etkowicz, Reg. No. 41,738
Attorney for Applicants

DMG/fp

Dated: June 1, 2010

P.O. Box 980
Valley Forge, PA 19482
(610) 407-0700

DMW/671787